

**ANNUAL ENGINEER'S REPORT
LANDSCAPING AND LIGHTING
MAINTENANCE ASSESSMENT
DISTRICT NO. 98-1**

FISCAL YEAR 2006-2007

CITY OF MILPITAS
SANTA CLARA COUNTY
CALIFORNIA

**ANNUAL ENGINEER'S REPORT
FOR
LANDSCAPING AND LIGHTING
MAINTENANCE ASSESSMENT
DISTRICT NO. 98-1**

FISCAL YEAR 2006-2007

Jose S. Esteves, Mayor

MEMBERS OF THE CITY COUNCIL

Jose S. Esteves, Mayor
Armando Gomez, Vice Mayor
Robert Livengood, Council Member
Althea Polanski, Council Member
Debbie Giordano, Council Member

Charles Lawson, City Manager
Steven T. Mattas, City Attorney
Mary Lavelle, City Clerk

Prepared by:
Greg Armendariz, Public Work Director/City Engineer
Mehdi Khaila, Land Development Engineer

**ANNUAL ENGINEER'S REPORT
LANDSCAPING AND LIGHTING
MAINTENANCE ASSESSMENT
DISTRICT NO. 98-1**

Greg Armendariz, Engineer of Work for Landscaping and Lighting Maintenance Assessment District No. 98-1, City of Milpitas, Santa Clara County, California, makes this report, as directed by the City Council, pursuant to Section 22585 of the Streets and Highways Code.

The improvements which are the subject of this report are briefly described on the attached Exhibit A.

This report consists of seven parts, as follows:

PART A- Plans and specifications for the improvements to be maintained and operated are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference.

PART B- An estimate of the cost of the improvement to be maintained or operated.

PART C- An assessment of the estimated cost of the improvement to be maintained or operated on each benefited parcel of land within the assessment district.

PART D- A statement of the method by which the undersigned has determined the amount proposed to be assessed against each parcel.

PART E- A list of the names and addresses of the owners of the real property within this assessment district, as shown on the last equalized assessment roll for taxes, or as known to the Clerk.

PART F- A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to the Assessment Roll by assessment number.

PART G- A vicinity map showing the landscape areas.

Respectfully submitted,

Greg Armendariz, Engineer of Work
RCE No. 40283 Exp. 12/31/06

EXHIBIT A

DESCRIPTION OF WORK LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 98-1

LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 98-1 is generally described as a district bounded on the east side by the existing Sinclair Frontage Road, on the west by Berryessa Creek, on the south by the existing commercial development, and on the north by Los Coches Street as shown on the attached diagram.

Maintenance and operation of any or all public landscaping and irrigation improvements adjacent to curbs of the following described streets, including asphalt concrete jogging paths, planter walls, grass berms, and appurtenant irrigation systems; ornamental planting including lawns, shrubs, and trees; including necessary repairs, replacements, water, electric current, spraying, care, supervision, debris removal and all other items of work necessary and incidental for proper maintenance and operation thereof.

All additions, improvements and enlargements thereto which may hereafter be made on the following described work:

Berryessa Creek

A strip of land approximately 510 feet long varying in width from 35 feet to 60 feet along the east bank of Berryessa Creek adjacent to Tract 9018. The improvements include an asphalt concrete jogging path, exercise equipment. Planting and irrigation.

Los Coches Creek:

1. A strip of land 812 feet long, 14 feet in width along the south bank of Los Coches Creek adjacent to Tract 9018. The improvements include an asphalt concrete jogging path, exercise equipment, planting and irrigation.
2. A strip of land 5.5 feet wide within the Los Coches Street right-of-way between the back of sidewalk and the right-of-way line along the south side of Los Coches Street between Berryessa Creek and Sinclair Frontage Road. The improvements include planting and irrigation.

Sinclair Frontage Road

1. A strip of land approximately 550 feet long, varying in width from 5.5 feet to 25 feet along the east side of Sinclair Frontage Road, except at the intersection of Cameron Place, between the back of sidewalk and the soundwall. The improvements include planting and irrigation.
2. A parcel on the east side of Sinclair Frontage Road within the Sinclair Frontage Road and Los Coches Street right-of-way, bounded on the east side by the Interstate 680, on the southwest side by the back of sidewalk and on the north side by the Los Coches Street right-of-way line. The improvements include planting and irrigation.

LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT
LMD 98-1
2006-2007 FISCAL YEAR
SINCLAIR HORIZON

PART B- ANNUAL BUDGET

LANDSCAPING, LIGHTING & IRRIGATION	2005-2006 Budgeted	2006-2007 Proposed
A. Personnel Costs	\$ 7,936.04	\$ 13,300.00
B. Contractual Services	\$ 1,500.00	\$ 3,759.16
C. Capitol Equipment	\$ 12,456.00	\$ -
D. Supplies	\$ 8,344.00	\$ 11,200.00
E. Water Costs	\$ 2,000.00	\$ 5,000.00
F. Electricity Costs	\$ 200.00	\$ 200.00
 TOTAL PROJECT ANNUAL COST	 \$ 32,436.04	 \$ 33,459.16
 Carryover from prior year	 \$ -	 \$ -
 TOTAL AMOUNT TO BE ASSESSED	 32,436.04	 \$ 33,459.16
 G. Reserve Pending Annual Collection	 \$ 17,602.00	 \$ 17,602.00

LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT
LMD 98-1
2006-2007 FISCAL YEAR
SINCLAIR HORIZON

PART C- ASSESSMENT ROLL

Assessment Diagram Number	Assessor's Parcel Number	Assessment
1	086-48-001	\$341.42
2	086-48-002	\$341.42
3	086-48-003	\$341.42
4	086-48-004	\$341.42
5	086-48-005	\$341.42
6	086-48-006	\$341.42
7	086-48-007	\$341.42
8	086-48-008	\$341.42
9	086-48-009	\$341.42
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13	086-48-013	\$341.42
14	086-48-014	\$341.42
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20	086-48-020	\$341.42
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24	086-48-024	\$341.42
25	086-48-025	\$341.42
26	086-48-026	\$341.42
27	086-48-027	\$341.42
28	086-48-028	\$341.42
29	086-48-029	\$341.42
30	086-48-030	\$341.42
31	086-48-031	\$341.42
32	086-48-032	\$341.42

33	086-48-033	\$341.42
34	086-48-034	\$341.42
35	086-48-035	\$341.42
36	086-48-036	\$341.42
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57	086-48-057	\$341.42
58	086-48-058	\$341.42
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61	086-48-061	\$341.42
62	086-48-062	\$341.42
63	086-48-063	\$341.42
64	086-48-064	\$341.42
65	086-48-065	\$341.42
66	086-48-066	\$341.42
67	086-48-067	\$341.42
68	086-48-068	\$341.42
69	086-48-069	\$341.42
70	086-48-070	\$341.42
71	086-48-071	\$341.42
72	086-48-072	\$341.42
73	086-48-073	\$341.42
74	086-48-074	\$341.42

76	086-48-076	\$341.42
77	086-48-077	\$341.42
78	086-48-078	\$341.42
79	086-48-079	\$341.42
80	086-48-080	\$341.42
81	086-48-081	\$341.42
82	086-48-082	\$341.42
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88	086-48-088	\$341.42
89	086-48-089	\$341.42
90	086-48-090	\$341.42
91	086-48-091	\$341.42
92	086-48-092	\$341.42
93	086-48-093	\$341.42
94	086-48-094	\$341.42
95	086-48-095	\$341.42
96	086-48-096	\$341.42
97	086-48-097	\$341.42
98	086-48-098	\$341.42

Total	\$33,459.16
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PART D
METHOD OF ASSESSMENT
LANDSCAPING AND LIGHTING MAINTENANCE
ASSESSMENT DISTRICT NO. 98-1

All parcels in the District on which residential dwelling will be constructed specially benefit from the improvements to an equivalent extent. These parcels are therefore assessed on a per lot basis for the maintenance and operation of the Landscaping and Lighting Maintenance assessment District No. 98-1, including incidentals and appurtenances, and shall include all the costs of maintenance and/or operating the improvements.

Due to the location of the improvements within the District and the relative geographic isolation of the district within the City, the general benefit derived from the improvements is minimal and is determined to be less than 10% of the total benefit resulting therefrom. The current owner of all of the parcels within the District made a one time cash contribution in the amount of \$31,252.00, the value of which over time will exceed the proportional general benefit resulting from the improvements.

The Assessments shown in this Engineer's Report are the amount for Fiscal Year 2002-2003. These amounts shall increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Indexes, Pacific Cities and U.S. City Average, San Francisco-Oakland-San Jose from April 1, 1998 to April 1 of the year following the year of assessment.

Any properly owner who feels that the amount of their assessment is in error as a result of incorrect information being used to apply the foregoing method of spread, may file an appeal with the Finance Director of the City. Any such appeal is limited to correction of an assessment during the then current year or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the Finance Director shall promptly review the information provided by the property owner and if he finds that the assessment should be modified, he shall have the authority to make appropriate changes in the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the Finance Director is authorized to refund to the property owner the amount of any approved reduction.

**LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT
LMD 98-1
2006-2007 FISCAL YEAR
SINCLAIR HORIZON**

PART E- PROPERTY OWNERSHIP LIST

ASSESSMENT DIAGRAM NUMBER	ASSESSOR'S PARCEL NUMBER	OWNER
1	86-48-001	DELARA ROSANNO S AND LORELI M TRUSTEE 872 CAMERON CL MILPITAS, CA 95035
2	86-48-002	HOANG JAMES AND LINDA 868 CAMERON CL MILPITAS, CA 95035
3	86-48-003	SANTIAGO SIMON AND RACHEL 864 CAMERON CL MILPITAS, CA 95035
4	86-48-004	QUAN ALEXANDER AND LE DENISE TRUSTEE 860 CAMERON CL MILPITAS, CA 95035
5	86-48-005	NOGUERA ALEX D AND MARLI G 856 CAMERON CL MILPITAS, CA 95035
6	86-48-006	KEMPIS BENJAMIN S AND EVANGELINE Q TRUSTEE 852 CAMERON CL MILPITAS, CA 95035
7	86-48-007	TRAN RANDY AND TRANG T 848 CAMERON CL MILPITAS, CA 95035
8	86-48-008	HAU CHARLIE W AND HAN TRACY 844 CAMERON CL MILPITAS, CA 95035
9	86-48-009	LAM TUAN AND NGUYEN YEN N 840 CAMERON CL MILPITAS, CA 95035
10	86-48-010	VU JOSEPH A TRUSTEE 836 CAMERON CL MILPITAS, CA 95035

11	86-48-011	GUTIERREZ ALEJANDRO J AND SOLITA A 832 CAMERON CL MILPITAS, CA 95035
12	86-48-012	ZHOU GUO-QUAN AND LIU XIN 828 CAMERON CL MILPITAS, CA 95035
13	86-48-013	DELA CRUZ DALE E AND JEANETTE M 824 CAMERON CL MILPITAS, CA 95035
14	86-48-014	RAMOS DIEGO AND SANDY 820 CAMERON CL MILPITAS, CA 95035
15	86-48-015	ANONUEVO REGIONAL AND CRICELITA 816 CAMERON CL MILPITAS, CA 95035
16	86-48-016	NARASIMHAN SUSHEELA AND KADANGODE SUBHA 812 CAMERON CL MILPITAS, CA 95035
17	86-48-017	JACKSON PAUL K AND BRITTON-JACKSON VIVIAN 808 CAMERON CL MILPITAS, CA 95035
18	86-48-018	CAO MICHAEL T AND TAM VUONG 804 CAMERON CL MILPITAS, CA 95035
19	86-48-019	MIGUELINO OSCAR T JR AND JUDY Y 800 CAMERON CL MILPITAS, CA 95035
20	86-48-020	NGUYEN HA AND BUI THUAN 1004 CAMERON PL MILPITAS, CA 95035
21	86-48-021	TRAN KENNETH AND LENA 1000 CAMERON PL MILPITAS, CA 95035
22	86-48-022	AGBUYA ALBERT P AND AMORFINA G TRUSTEE 996 CAMERON PL MILPITAS, CA 95035
23	86-48-023	PATEL BHUSHAN AND AARTI M 992 CAMERON CL MILPITAS, CA 95035

24	86-48-024	LONG SHINONG AND WANG HUAN 988 CAMERON CL MILPITAS, CA 95035
25	86-48-025	CASTILLO HAYDEE AND POTENCIANO 984 CAMERON CL MILPITAS, CA 95035
26	86-48-026	ALLENEGUI JESSE L AND EDELINE B 980 CAMERON CL MILPITAS, CA 95035
27	86-48-027	NARVAEZ HOWARD M ET AL 976 CAMERON CL MILPITAS, CA 95035
28	86-48-028	LEUNG PAUL K AND NANCY M 972 CAMERON CL MILPITAS, CA 95035
29	86-48-029	TRAN MICHAEL AND TIFFANY 968 CAMERON CL MILPITAS, CA 95035
30	86-48-030	WU XILONG AND YU ZHEBIN TRUSTEE 964 CAMERON CL MILPITAS, CA 95035
31	86-48-031	CHEN JUNTSE AND HUANG SHARON H 960 CAMERON CL MILPITAS, CA 95035
32	86-48-032	NGUYEN ANTHONY AND TIFFANY 956 CAMERON CL MILPITAS, CA 95035
33	86-48-033	RAGHUNATHA SWAROOP AND PADUBIDRI LALITHA BH 952 CAMERON CL MILPITAS, CA 95035
34	86-48-034	LEON JOSE GUADALUPE S AND MARIA O 948 CAMERON CL MILPITAS, CA 95035
35	86-48-035	YAU TIMOTHEUS AND PEGGY 944 CAMERON CL MILPITAS, CA 95035
36	86-48-036	VOLADRI RAMA K AND GURJAL MANI R 940 CAMERON CL MILPITAS, CA 95035

37	86-48-037	CHU CHLOE AND BUI DOANH DEAN 936 CAMERON CL MILPITAS, CA 95035
38	86-48-038	KODIPYAKA VEDPRAKASH AND MYADAM SUREKHA 932 CAMERON CL MILPITAS, CA 95035
39	86-48-039	KWOK KA-KEI AND FUNG JULIA Y.K. 928 CAMERON CL MILPITAS, CA 95035
40	86-48-040	MUNE DEREK 924 CAMERON CL MILPITAS, CA 95035
41	86-48-041	REYNARD RANDY AND KUSICK JULIE A 920 CAMERON CL MILPITAS, CA 95035
42	86-48-042	RAO QIZHOU AND SHAN MENGWEN 916 CAMERON CL MILPITAS, CA 95035
43	86-48-043	LOW NEE-LOONG AND OH BEE-BEE 912 CAMERON CL MILPITAS, CA 95035
44	86-48-044	VOGETY RAMANAGOPAL V AND VEDANTAM KANYALAKS 908 CAMERON CL MILPITAS, CA 95035
45	86-48-045	MAI BRIAN CHI ET AL 904 CAMERON CL MILPITAS, CA 95035
46	86-48-046	DO KHAN AND NGUYEN THU K TRUSTEE 900 CAMERON CL MILPITAS, CA 95035
47	86-48-047	TSAI JULIE Y ET AL 896 CAMERON CL MILPITAS, CA 95035
48	86-48-048	HU HUIJUN L ET AL 892 CAMERON CL MILPITAS, CA 95035
49	86-48-049	PEI NICHOLAS 888 CAMERON CL MILPITAS, CA 95035

50	86-48-050	WANG RONG AND GAO YUJIE ET AL 884 CAMERON CL MILPITAS, CA 95035
51	86-48-051	CLEMENTE ERNIE AND VERA F 880 CAMERON CL MILPITAS, CA 95035-0000
52	86-48-052	WONG JAMES 876 CAMERON CL MILPITAS, CA 95035-0000
53	86-48-053	FANG CALVIN AND WANG QING 899 CAMERON CL MILPITAS, CA 95035-0000
54	86-48-054	LAN DI AND CAO RONG 903 CAMERON CL MILPITAS, CA 95035-0000
55	86-48-055	LAM RONNY AND JULIE TRAN 907 CAMERON CL MILPITAS, CA 95035-0000
56	86-48-056	TON VICTOR AND ANN 911 CAMERON CL MILPITAS, CA 95035-0000
57	86-48-057	PAWAR MADHUKAR AND YADAV VIDULA 915 CAMERON CL MILPITAS, CA 95035-0000
58	86-48-058	DUGYALA MURALIDHAR R AND ANURADHA 211 CAMERON CT MILPITAS, CA 95035-0000
59	86-48-059	AU JONSON C AND OR SOPHIA YUK YU 203 CAMERON CT MILPITAS, CA 95035-0000
60	86-48-060	WONG CARMEN ET AL 195 CAMERON CT MILPITAS, CA 95035-0000
61	86-48-061	MELANAHALLI PADMANABHA R AND BELUR VANITHA 200 CAMERON CT MILPITAS, CA 95035-0000
62	86-48-062	LIU LISA AND LEE ANDREW 208 CAMERON CT MILPITAS, CA 95035-0000

63	86-48-063	AZALI ALBERTUS H AND TUNGGA WENDA 216 CAMERON CT MILPITAS, CA 95035-0000
64	86-48-064	CHUA STEVEN H 16768 OLD JAMESTOWN RD FLORISSANT, MO 63034
65	86-48-065	KOMATSU HIROYUKI AND MIKA 199 WHITE CT MILPITAS, CA 95035
66	86-48-066	PONNUSWAMY SENTHILKUMAR AND BHUVANAMBIGAI 191 WHITE CT MILPITAS, CA 95035
67	86-48-067	BIALA CHARITO M AND FE T 183 ALLEN CT MILPITAS, CA 95035
68	86-48-068	NITAFAN DEMETRIO B AND CECILIA C 175 ALLEN CT MILPITAS, CA 95035
69	86-48-069	NGUYEN THANG T AND TANYA V 180 ALLEN CT MILPITAS, CA 95035
70	86-48-070	VO JASMINE AND HUYNH QUANG M 188 ALLEN CT MILPITAS, CA 95035
71	86-48-071	PATEL GITA 196 WHITE CT MILPITAS, CA 95035
72	86-48-072	FENG HAIJUN AND ZHONG WEIHONG 204 WHITE CT MILPITAS, CA 95035
73	86-48-073	CHEN JOHN JIR-SHANG 212 WHITE CT MILPITAS, CA 95035
74	86-48-074	OO KENNETH THET ZIN 203 KING CT MILPITAS, CA 95035
75	86-48-075	OBILSETTY SRIDHAR 195 KING CT MILPITAS, CA 95035
76	86-48-076	HSIAO JEFF C AND NGUYEN ANGELA T 187 KING CT MILPITAS, CA 95035

77	86-48-077	CHIN MICHAEL AND MARY TRUSTEE PO BOX 360154 MILPITAS, CA 95036
78	86-48-078	TRUONG PHILLIP TRUSTEE P.O. BOX 360249 MILPITAS, CA 95036
79	86-48-079	KWOK PETER AND KOO JOSEPHINE P 176 BRANDT CT MILPITAS, CA 95035
80	86-48-080	CHANG TUNG SYMON AND JYAN PING LILY TRUSTEE P.O. BOX 33097 LOS GATOS, CA 95031
81	86-48-081	NGUYEN HUNG V AND TRUONG HOA NHU 192 KING CT MILPITAS, CA 95035
82	86-48-082	LI GANG AND MA NAN 200 KING CT MILPITAS, CA 95035
83	86-48-083	DESAI DILAN AND TARUNA 208 KING CT MILPITAS, CA 95035
84	86-48-084	DESAI RAJENDRA J AND PRATIMA R 199 DOUGLAS CT MILPITAS, CA 95035
85	86-48-085	LIN PATRICK PAK CHONG AND TANYA WONG 191 DOUGLAS CT MILPITAS, CA 95035
86	86-48-086	TONG QUINLAM 183 DOUGLAS CT MILPITAS, CA 95035
87	86-48-087	LIN RICK C AND CHIA-HUI JACKLYN TRUSTEE 175 HOBBS CT MILPITAS, CA 95035
88	86-48-088	AHUJA SUMEET 167 HOBBS CT MILPITAS, CA 95035
89	86-48-089	ASGHAR QAMAR AND SIDDIQUI SHEHLA K 174 HOBBS CT MILPITAS, CA 95035
90	86-48-090	LIEU TONY AND TIFFANY 182 HOBBS CT MILPITAS, CA 95035

91	86-48-091	YIP ERIC E AND ZHENG L 190 DOUGLAS CT MILPITAS, CA 95035
92	86-48-092	LIM PERRY F AND DIXIE 198 DOUGLAS CT MILPITAS, CA 95035-0000
93	86-48-093	TANG YANG AND LU COURTNE 206 DOUGLAS CT MILPITAS, CA 95035-0000
94	86-48-094	QUANG TONY D 991 CAMERON CL MILPITAS, CA 95035-0000
95	86-48-095	SINGLA SANJEEV K AND ANITA 995 CAMERON CL MILPITAS, CA 95035-0000
96	86-48-096	KRISHNAN SRINIVASAN AND SRINIVASAN RAMA S 811 CAMERON CL MILPITAS, CA 95035-0000
97	86-48-097	ANNADATA ANIL K AND VEEPURI SRAVANTHI 815 CAMERON CL MILPITAS, CA 95035-0000
98	86-48-098	BHANDARI ASHOK AND ANITA 831 CAMERON CL MILPITAS, CA 95035-0000

**ENGINEER'S REPORT
LANDSCAPING AND LIGHTING
MAINTENANCE ASSESSMENT DISTRICT NO. 98-1
FISCAL YEAR 2006-2007**

CERTIFICATES

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Diagram thereto attached, was filed with me on the 6th day of June, 2006.

Mary Lavelle, City Clerk
City of Milpitas
Santa Clara County, California
By: _____

I have prepared this Engineer's Report and do hereby certify that the amounts set forth in the Engineer's Estimate on Part B hereof entitled "assessment", and the individual amounts of the Assessment Roll on Part C herein, have been computed by me in accordance with the order of the City Council of the City of Milpitas, adopted on the 16th day of May, 2006.

Greg Armendariz, Engineer of Work
By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Milpitas, Santa Clara County, California, on the 20th day of June, 2006, by Resolution No. ____.

Mary Lavelle, City Clerk
City of Milpitas
Santa Clara County, California
By: _____

I HEREBY CERTIFY that the Assessment and Assessment Diagram, was filed with the County Auditor of the County of Santa Clara, on the 23rd day of June, 2006.

Mary Lavelle, City Clerk
City of Milpitas
Santa Clara County, California
By: _____

ASSESSMENT DIAGRAM NUMBER	ASSESSMENT PARCEL NUMBER
1	86-48-001
2	86-48-002
3	86-48-003
4	86-48-004
5	86-48-005
6	86-48-006
7	86-48-007
8	86-48-008
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88	86-48-088

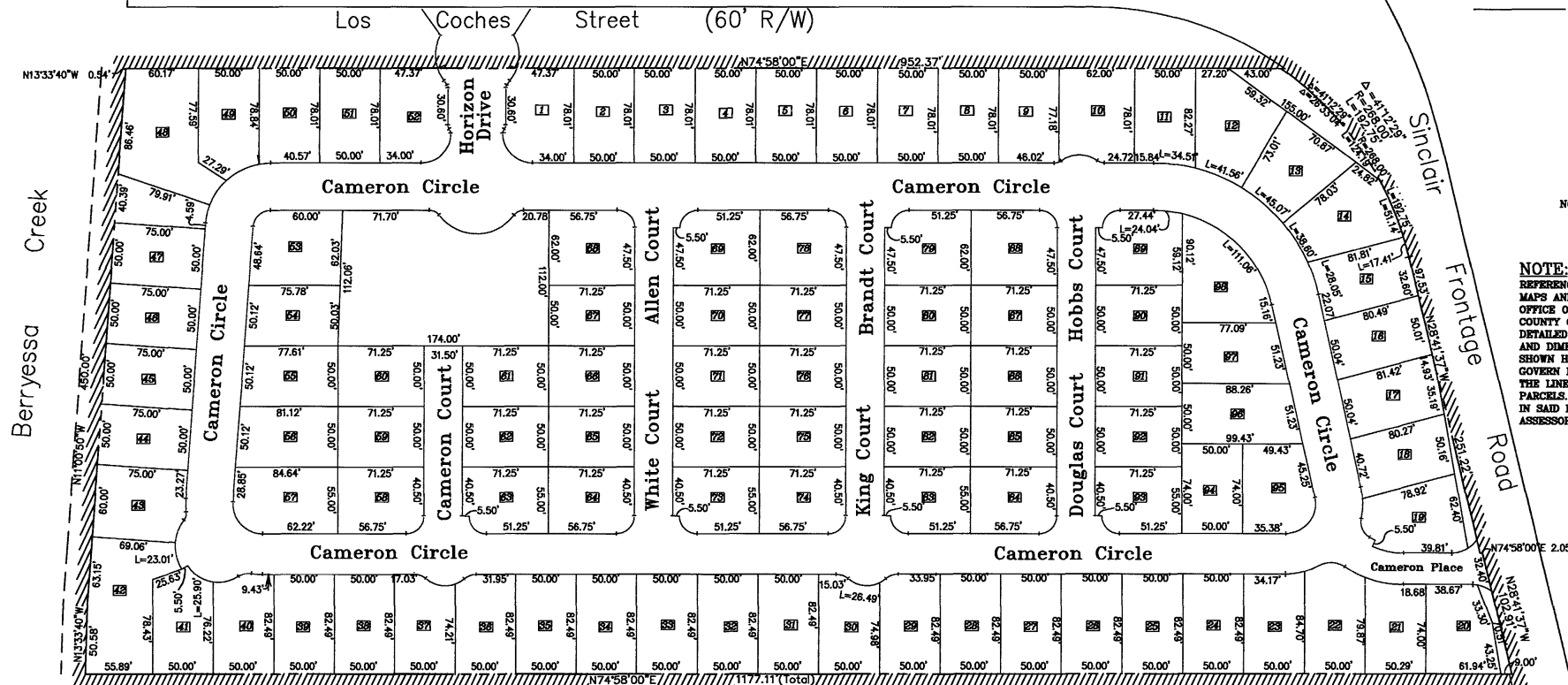
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92	86-48-092
93	86-48-093
94	86-48-094
95	86-48-095
96	86-48-096
97	86-48-097
98	86-48-098

LEGEND

- Assessment Parcel Numbers
- District Boundary
- Assessment Limits

NOT TO SCALE

NOTE:
REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF SANTA CLARA FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREIN. THOSE MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS. EACH PARCEL IS IDENTIFIED IN SAID MAPS BY ITS DISTINCTIVE ASSESSORS PARCEL NUMBER



An assessment was levied by the City Council of the City of Milpitas, County of Santa Clara, State of California on the lots, pieces and parcels of land shown on this assessment diagram. Said assessment was levied on the 20th day of June 2006; said assessment diagram and the assessment roll were recorded in the Office of the Superintendent of Streets of said City on the 20th day of June 2006. Reference is made to the assessment roll recorded in the Office of the Superintendent of Streets for the exact amount of each assessment levied against each parcel of land shown on this assessment diagram.

City Clerk of the City of Milpitas

Filed in the Office of the City Clerk of the City of Milpitas, County of Santa Clara, State of California this 8th day of June 2006.

City Clerk of the City of Milpitas

Recorded in the Office of the Superintendent of Streets of the City of Milpitas, County of Santa Clara, State of California, this 20th day of June 2006.

Superintendent of Streets
City of Milpitas

PART F

ASSESSMENT DIAGRAM
LANDSCAPING AND LIGHTING
MAINTENANCE ASSESSMENT DISTRICT
NO. 98-1

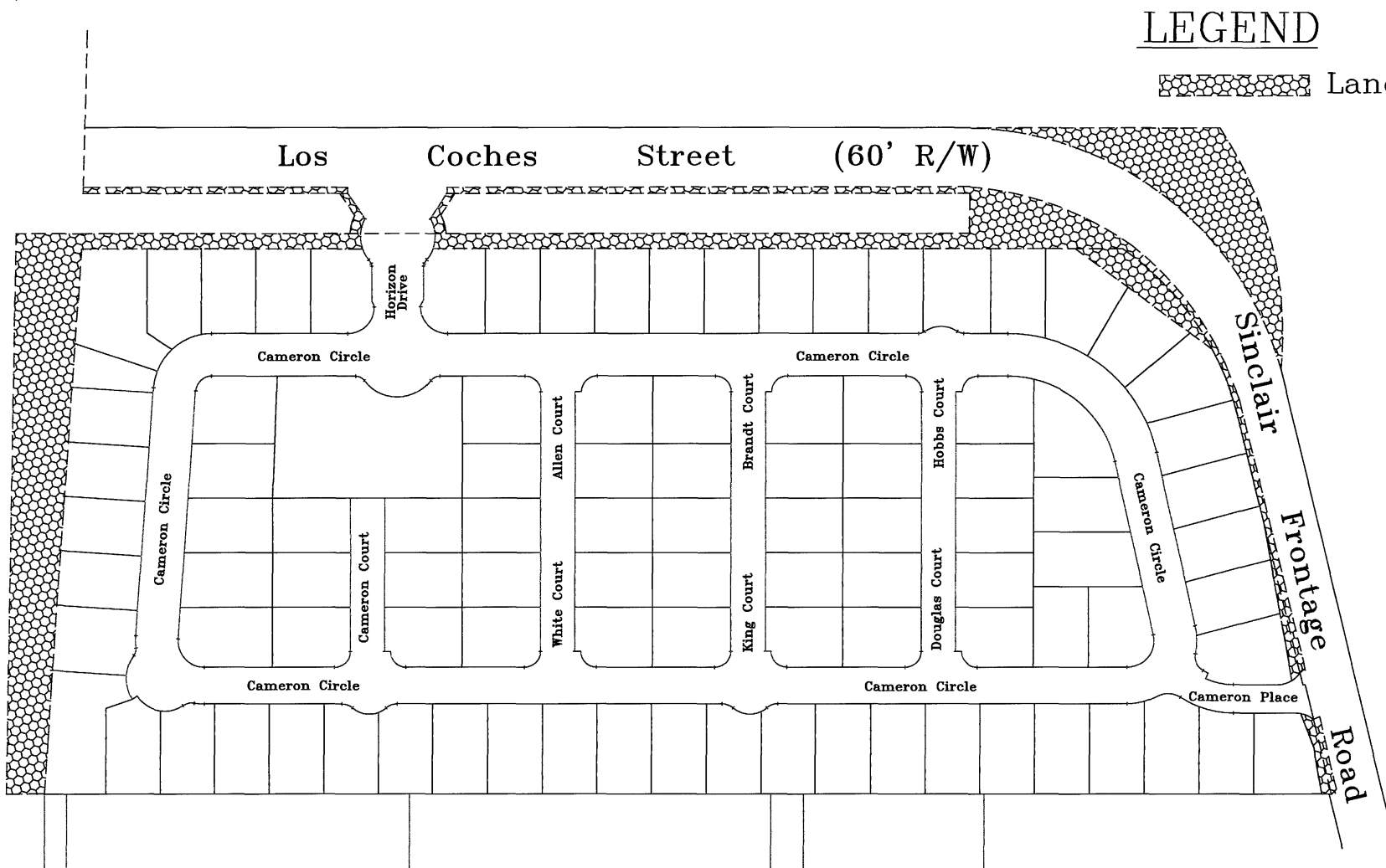
MILPITAS

CALIFORNIA

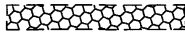
June 2006

1
1

Berryessa
Creek



LEGEND

 Landscape Area



NOT TO SCALE

PART "G" VICINITY MAP

Landscaping and Lighting
Maintenance
Assessment District
No. 98-1

MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

Not to Scale

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS OF
INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2006-2007,
PRELIMINARILY APPROVING ANNUAL ENGINEER'S REPORT, AND PROVIDING
FOR NOTICE OF HEARING FOR LANDSCAPING AND LIGHTING
MAINTENANCE ASSESSMENT DISTRICT NO. 98-1**

RESOLVED, by the City Council (the "Council") of the City of Milpitas (the "City"), County of Santa Clara, State of California, that

1. On May 16, 2006, this Council adopted Resolution No. _____, A Resolution Directing Preparation of Annual Report for the City of Milpitas Landscaping and Lighting Maintenance Assessment District No. 98-1 (the "Maintenance District"). Pursuant to this resolution, the Engineer of Work prepared a report in accordance with Section 22565, *et seq.*, of the California Streets and Highways Code (the "Report"). The Report has been made, filed with the City Clerk and duly considered by this Council and is hereby deemed sufficient and preliminarily approved. The report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.

2. It is the intention of this Council to levy and collect assessments within the Maintenance District for the fiscal year 2006-2007. Within the Maintenance District, the existing and proposed improvements and any substantial changes proposed to be made to the existing improvements are generally as described on Exhibit "A" attached and by this reference made a part of this Resolution.

3. The Maintenance District consists of the lots and parcels shown on the boundary map of the Maintenance District on file with the City Clerk, and reference is hereby made to such map for further particulars.

4. Reference is hereby made to the Report for a full and detailed description of the Improvements, the boundaries of the Maintenance District and the proposed assessments upon assessable lots and parcels of land within the Maintenance District. The assessment for fiscal year 2006-2007 has not been increased, other than by the application of the annual Consumer Price Index (CPI) escalation.

5. This Council hereby orders that a public hearing shall be held before this Council in the regular meeting place thereof, City Council Chambers, 455 E. Calaveras Boulevard, Milpitas California on Tuesday, June 20, 2006, at the hour of 7:00 o'clock p.m., or as soon thereafter as the matter can be heard, for the purpose of allowing public testimony regarding the proposed assessments for the District and this Council's determination whether the public interest, convenience and necessity requires improvements and this Council's final action upon the Engineer's Report and the assessments therein. .

6. Prior to the conclusion of the hearing, any interested person may file a written protest with the City Clerk, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by such owner.

7. The City Clerk shall cause notice of the hearing to be given by publishing a copy of this Resolution once, at least ten (10) days prior to the date of the hearing above specified, in the Milpitas Post, a newspaper published and circulated in the Maintenance District.

PASSED AND ADOPTED by the City Council of the City of Milpitas this _____ day of _____ 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Steven T. Mattas, City Attorney

EXHIBIT A
DESCRIPTION OF WORK
LANDSCAPING AND LIGHTING
MAINTENANCE ASSESSMENT DISTRICT NO. 98-1

LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 98-1 is generally described as a district bounded on the east side by the existing Sinclair Frontage Road, on the west by Berryessa Creek, on the south by the existing commercial development, and on the north by Los Coches Street as shown on the attached diagram.

Maintenance and operation of any or all public landscaping and irrigation improvements adjacent to curbs of the following described streets, including asphalt concrete jogging paths, planter walls, grass berms, and appurtenant irrigation systems; ornamental planting including lawns, shrubs, and trees; including necessary repairs, replacements, water, electric current, spraying, care, supervision, debris removal and all other items of work necessary and incidental for proper maintenance and operation thereof.

The maintenance and operation of and the furnishing of services and materials, as required for the following improvements:

:

Berryessa Creek

A strip of land approximately 510 feet long varying in width from 35 feet to 60 feet along the east bank of Berryessa Creek adjacent to Tract 9018. The improvements include an asphalt concrete jogging path, exercise equipment. Planting and irrigation.

Los Coches Creek:

1. A strip of land 812 feet long, 14 feet in width along the south bank of Los Coches Creek adjacent to Tract 9018. The improvements include an asphalt concrete jogging path, exercise equipment, planting and irrigation.
2. A strip of land 5.5 feet wide within the Los Coches Street right-of-way between the back of sidewalk and the right-of-way line along the south side of Los Coches Street between Berryessa Creek and Sinclair Frontage Road. The improvements include planting and irrigation.

Sinclair Frontage Road

1. a strip of land approximately 550 feet long, varying in width from 5.5 feet to 25 feet along the east side of Sinclair Frontage Road, except at the intersection of Cameron Place, between the back of sidewalk and the soundwall. The improvements include planting and irrigation.
2. A parcel on the east side of Sinclair Frontage Road within the Sinclair Frontage Road and Los Coches Street right-of-way, bounded on the east side by the Interstate 680, on the southwest side by the back of sidewalk and on the north side by the Los Coches Street right-of-way line. The improvements include planting and irrigation.